



Sustainable Infrastructure Reports

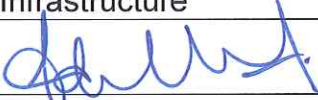
Committee Consideration – 8 May 2012
Council Resolution – 22 May 2012

Table of Contents

Item No.		Page No.
SI09.12	Request for Retrospective Approval of Verge Development at 26 Genesta Crescent, Dalkeith.....	1
SI10.12	Black Spot Project 2011/12 – Intersection Upgrade at the Intersections of Stirling Highway and Florence Road and Florence Road and Princess Road, Nedlands.....	7

SI09.12 Request for Retrospective Approval of Verge Development at 26 Genesta Crescent, Dalkeith

Committee	8 May 2012
Council	22 May 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Dickson – Acting Manager Parks Services
Director	Andrew Melville – Acting Director Sustainable Infrastructure
Director Signature	
File ref.	GE1/26-02
Previous Item No's	Item CM09.10 – Council meeting – 27 April 2010
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Purpose

To present for Council's consideration a request received from Planning Solutions Australia Pty Ltd, acting on behalf of the owner of 26 Genesta Crescent, Dalkeith, for retrospective approval of the adjacent verge development without modification.

Recommendation to Committee

Council:

1. Approves the request for retrospective approval of the verge development adjacent to 26 Genesta Crescent, Dalkeith subject to the following conditions being completed within 28 days ensuring compliance with the City of Nedlands Verge Development policy:
 - a. the artificial grass component of the verge development is to be reduced so as the combined total of artificial grass and all other hard paved areas does not comprise more than 40% of the total verge area;
 - b. drainage is installed to the artificial grass sub base, as approved by Administration, to ensure that all storm water is retained within the verge area;
 - c. The City is indemnified by the owner of 26 Genesta Crescent, Dalkeith against all claims arising out of, or in connection with the verge development.

Strategic Plan

KFA 3: Built Environment

3.7 Provide efficient and integrated approvals systems.

KFA 5: Governance

5.9 Identify, manage and seek to minimise risk.

Background

Council adopted the current Verge Development policy on 27 April 2010. Current policy contains a provision relating to the installation of artificial grass conditional to certain requirements. In accordance with the current policy, where artificial grass installation is incorporated in a verge development, there is a requirement to make satisfactory arrangements for drainage and to include it as part of the maximum 40% hard paved area.

It is a requirement of the Verge Development policy and the Local Laws relating to Thoroughfares that owners apply for a permit prior to commencing any works within a public Thoroughfare.

Without applying for a permit, artificial grass was installed as part of a verge development at 26 Genesta Crescent, Dalkeith between 1 and 14 December 2011. The development does not conform to the current Verge Development policy in that approximately 95% of the verge comprises hard stand, with artificial grass accounting for approximately 70% of hardstand area. In addition, there has been no consideration for drainage of the sub base during installation.

Administration wrote to the owner of 26 Genesta Crescent informing them that the verge development did not conform to Council's requirements, that it had been installed unlawfully and to contact the City within 28 days to discuss the matter.

Approximately 13 weeks after completion of the works, with the matter unresolved and upon advice from the City's lawyers, a prosecution notice for a breach of clause 7(1)(e)(ii) of the Local Laws Relating to Thoroughfares was issued to the company having carried out the works. The company was identified as Astro Synthetic Turf Pty Ltd. The prosecution was listed for a hearing in the Perth Magistrates Court on 13 April 2012. Astro Synthetic Turf Pty Ltd were convicted at the hearing, fined \$3,000.00 and required to pay \$1,128.80 in costs.

In addition to the prosecution, a notice was served on 19 March 2012 to Astro Synthetic Turf Pty Ltd pursuant to clause 40 of the Local Laws Relating to Thoroughfares requiring the artificial grass be removed within 28 days, this date being the 16 April 2012.

The owner was informed of the notice requiring the removal of the artificial grass and subsequently submitted a Verge Development application showing no modification to the completed works. Administration refused the application and advised that modification to the artificial grass would be required (to ensure compliance with Council policy) before approval could be granted.

Planning Solutions Australia Pty Ltd, acting on behalf of the owner of 26 Genesta Crescent, contacted the City and requested retrospective approval of the verge development be considered by Council. They have also requested no action be taken in enforcing the removal notice until Council has considered the request for retrospective approval. Administration has agreed to this request.

Planning Solutions Australia Pty Ltd has submitted a brief of information supporting approval of the verge development without modification. The submission is included in the Councillor's information package.

Key Relevant Previous Decisions:

Item CM09.10 – Council meeting – 27 April 2010

Council Resolution / Recommendation to Committee:

Council approves the Verge Development policy.

Proposal Detail

Planning Solutions Australia Pty Ltd, acting on behalf of the owner of 26 Genesta Crescent, Dalkeith proposes to retain the adjacent verge development without modification. They have requested they would like to appeal Administration's decision in not approving a permit in retrospect and wish to have Council exercise its discretion to issue retrospective approval.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No
 Consultation type:

Direct ongoing consultation with property owner and other parties involved.

Legislation

- *Local Government Act 1995*
- *Local Laws Relating to Thoroughfares*
- *Verge Development Policy*

- Drainage of Private Properties Policy

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

There may be a cost to the City if compliance action requires the City to remove all or part of the development; however the associated cost would not be significant and would be recoverable.

Risk Management

Risk Category	Risk Rating Prior to Controls	Risk Rating After Controls
Financial	Moderate: The City is liable for any claims for damages arising out of the installation of a verge development as this public land under the care and control of the City.	Low: In order to obtain a permit to install artificial grass on a verge, property owners are required to indemnify Council from any possible litigation arising out of, or in connection to, its installation as part of a verge development.
Health	Low	Low
Reputation	Moderate: There is a possibility that any action taken by Council may receive some coverage by local media (i.e. Post Newspaper).	Moderate
Operation / Service Interruption	Low	Low
Environment	Moderate: There is some scope for issues around storm water management and adverse affects to the environment. There is scientific evidence pointing to a reduction in localised temperature regulation resulting from artificial grass being used as a substitute for natural grass or gardens.	Low: Drainage and associated storm water management issues are addressed within the requirements set out by policy.

Regulatory	<p>High: The Thoroughfares Local Law clearly defines the procedure and allowable uses for private development on public lands. Where the local laws are openly disregarded it gives rise to heightened levels of risk to Council and the City.</p>	<p>Low: This is dependent upon Council upholding its regulatory function with respect to controlling private development within public thoroughfares.</p>
------------	--	---

Discussion

During the afternoon of 1 December 2011, the City received information that works were being undertaken on the verge adjacent to 26 Genesta Crescent, Dalkeith. City officers directly attended the address to find works in progress. The officers spoke with two representatives of the building company Zorzi / Grandwood Builders who were on site.

During the discussions, the City officers informed the building company representatives that no application for verge development had been received by the City and this was a requirement under the Local Laws. The officers further advised that it appeared the whole remaining verge area was being prepared for the installation of artificial grass. The officers advised that if this were the case the development would not conform to Council requirements.

The officers suggested that the works be suspended until such time that an application for verge development could be submitted. The builder's representatives informed the officers that they were acting on instruction from the property owner and that the works would continue to completion and would be defended in court.

The verge development was completed sometime before the 14 December 2011 (refer - Figure 1).



Figure 1 – Verge area showing extent of artificial grass

In examining retrospective approval for the verge development, consideration needs to be given in context of the events prior to completion of the works, the requirements of Council's Verge Development policy and the requirements of the Local Laws. In particular, consideration should be given in respect of drainage requirements and any knowledge the builder's representatives had, in acting on behalf of the owner, of the requirement for obtaining a permit prior to commencing works.

In considering drainage requirements, the following points should be noted:

- the verge area has a gentle fall across the verge (south-west to north-east) towards the property boundary;
- the sub base consists of 'cracker dust', or similar product, that has been compacted and would not provide a suitably permeable layer for drainage purposes; and
- an evaluation of the verge area drainage characteristics has determined that during a significant rainfall event, storm water would not be discharged into the road drainage system, but rather into the small garden bed at the east end of the verge and onto the driveway and into the premises.

In considering the requirements of the Verge Development policy, the following points should be noted:

- approval was not sought prior to commencement of the works;
- the completed works do not conform to Council requirements; and

- Council has not been indemnified against all claims arising out of, or in connection to, the installation of artificial grass on a public Thoroughfare.

In considering the requirements of the Local Laws Relating to Thoroughfares, the following points should be noted:

- a permit had not been issued prior to commencement of the works; and
- the company having carried out the works were convicted of an offence in the Perth Magistrates Court pursuant to clause 7(1)(e)(ii) of the Local Laws Relating to thoroughfares.

In considering any knowledge the builder's representatives had, in acting on behalf of the owner, of the requirement for obtaining a permit prior to commencing works, the following points should be noted:

- the builder's representatives were made aware by City officers of the requirement for a permit at the commencement of works;
- the builder's representatives informed City officers they had been granted approval for the works by the Mayor; and
- given the opportunity to comply with Council's requirements, the builder's representatives advised they would be completing the works and would defend this decision in court.

Conclusion

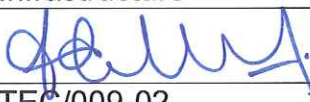
The application for retrospective approval does not comply with Council policy although can be made to do so. The City could not approve this development without modification as has been requested by the applicant. The City's recommendation to Council reflects current Council policy.

Attachments

Nil

SI10.12 Black Spot Project 2011/12 – Intersection Upgrade at the Intersections of Stirling Highway and Florence Road and Florence Road and Princess Road, Nedlands

Committee	8 May 2012
Council	22 May 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Wayne Mo - Design Engineer
Director	Andrew Melville – Acting Director Sustainable Infrastructure
Director Signature	
File ref.	TEC/009-02
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Purpose

To obtain Council's approval for the installation of approved Black Spot projects at the intersections of Stirling Highway and Florence Road, and Princess Road and Florence Road, Nedlands.

Recommendation to Committee

Council:

1. Approves the installation of a traffic island at the intersection of Stirling Highway and Florence Road as approved under the Main Roads WA Black Spot Program (refer to Attachment 1); and
2. Approves the installation of traffic islands at the intersection of Princess Road and Florence Road as approved under the Main Roads WA Black Spot Program (refer to Attachment 2).

Strategic Plan

- KFA 1 Infrastructure
 - 1.2 Design and construct infrastructure in accordance with Australian standards and guidelines.
- KFA 5 Governance

- 5.6 Ensure compliance with statutory requirements and guidelines.
- 5.9 Identify, manage and seek to minimise risk.

Background

The following intersections were both identified as Black Spots for 2011/12 financial year.

- Stirling Highway and Florence Road; and
- Princess Road and Florence Road, Nedlands

Intersection upgrades were recommended as suitable treatments to addresses the intersection crashes. (refer to Attachment 1).

Proposal Detail

Stirling Highway and Florence Road

- Installation of a new traffic island

Princess Road and Florence Road

- Installation of new traffic islands on Florence Road

These treatments were selected by the City's consultant, Porter Consultant Engineers as the appropriate measures to address the number of intersection crashes resulting in a high level of property damage and medical occurrences.

Stirling Highway / Florence Road

- Number of crashes – 19 in five (5) years
- Crashes resulting in a high level of property damage and medical occurrences – four (4) in five (5) years

Florence Road / Princess Road

- Number of crashes – five (5) in five (5) years
- Crashes resulting in a high level of property damage and medical occurrences – four (4) in five (5) years

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Consultation type: Mail out

Date: 10 November 2011

Community consultation has been undertaken. A mail out was sent to all surrounding residents and stakeholders containing the following:

- A letter providing informing about the proposed works;
- An information sheet showing before and after artist impression images of what the proposed works will look like;
- A comment form; and
- A Black Spot flyer providing information on Black Spots.

Community feedback results are tabled in the discussion.

Legislation

Local Government Act 1995

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

Total cost of project is \$63,000
(Stirling Highway / Florence Road \$30,000, Princess Road / Florence Road \$33,000)

Cost breakdown:

Stirling Highway / Florence Road

- Black spot program 2/3 \$20,000 – Approved
- Council 1/3 \$10,000 – Approved

Princess Road / Florence Road

- Black spot program 2/3 \$22,000 – Approved
- Council 1/3 \$11,000 – Approved

Both projects have been approved in the 2011/2012 capital works budget.

Risk Management

Should Council not approve the proposed treatments to the intersections of Stirling Highway and Florence Road, and Princess Road and Florence Road, the risk is that the intersections, as identified by Main Roads WA crash statistics will continue to be unsafe to all road users.

Discussion

Crash patterns indicate that there have been a high number of reported crashes at both of these intersections. Installation of traffic islands at both of these intersections is designed to improve safety and reduce crashes.

The City received a total of eleven responses back from the community during consultation, these are shown in the table below.

Stirling Highway / Florence Road & Princess Road / Florence Road
Feedback Table

Total sent out	234
Total feedback forms received back	11
Feedback that was in support of the Black Spot Projects	7
Feedback that opposed the Black Spot Projects	1
Feedback which did not state support or oppose	3

Conclusion

The proposed treatment is a cost effective and an appropriate method to address the crashes at this intersection.

Attachments

1. Design Plan – Stirling Hwy / Florence Rd
2. Design Plan – Princess Rd / Florence Rd

Notes:

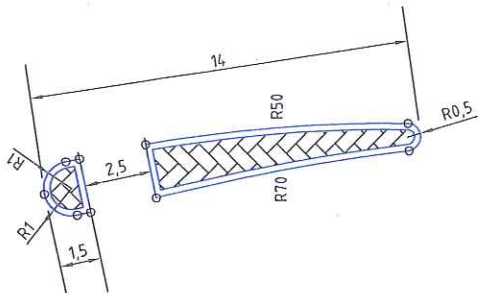
1. Ensure Traffic Management during construction conforms to Victorian Standards.
2. Keep site safe for workers, pedestrians, and road users at all times.
3. Services are shown in their approximate location. Domestic services are not shown.
4. Ensure the Drainage System is operational before final works.
5. Existing verges shall not be disturbed beyond the extent of work.
6. Existing kerbs shall be replaced with new kerbs.
7. The in of new surface to finish with existing surface.
8. Kerbing shall be semi mountable unless shown otherwise.
9. Kerbing shall be semi mountable unless shown otherwise.
10. Reduce surface area of pavement with new base consisting of 200mm crushed limestone.
11. Kerbing shall be placed in uniform layers not exceeding 300mm thickness and compacted to a density not less than that of the surrounding subgrade material. Fill shall be placed in uniform layers not exceeding 300mm thickness and compacted to a density not less than that of the surrounding subgrade material.
12. Resurface pavements with 20mm Black Stone Mastic Asphalt after each paving, and paving concrete curbs.
13. Existing kerbs shall be replaced with new kerbs.
14. Where shown without 50mm of road pavement, Place 50mm of 2 or 4% voids dense graded asphalt. Seal with 20mm of Black Stone Mastic Asphalt.

GEO GRID MAT SET OUT FOR KERBERG	
NO.	MARK
1	545172.92
2	545173.06
3	545173.20
4	545173.34
5	545173.48
6	545173.62
7	545173.76
8	545173.90
9	545174.04
10	545174.18
11	545174.32
12	545174.46
13	545174.60
14	545174.74
15	545174.88
16	545175.02
17	545175.16
18	545175.30
19	545175.44
20	545175.58
21	545175.72
22	545175.86
23	545176.00
24	545176.14
25	545176.28
26	545176.42
27	545176.56
28	545176.70
29	545176.84
30	545176.98
31	545177.12
32	545177.26
33	545177.40
34	545177.54
35	545177.68
36	545177.82
37	545177.96
38	545178.10
39	545178.24
40	545178.38
41	545178.52
42	545178.66
43	545178.80
44	545178.94
45	545179.08
46	545179.22
47	545179.36
48	545179.50
49	545179.64
50	545179.78
51	545179.92
52	545180.06
53	545180.20
54	545180.34
55	545180.48
56	545180.62
57	545180.76
58	545180.90
59	545181.04
60	545181.18
61	545181.32
62	545181.46
63	545181.60
64	545181.74
65	545181.88
66	545182.02
67	545182.16
68	545182.30
69	545182.44
70	545182.58
71	545182.72
72	545182.86
73	545183.00
74	545183.14
75	545183.28
76	545183.42
77	545183.56
78	545183.70
79	545183.84
80	545183.98
81	545184.12
82	545184.26
83	545184.40
84	545184.54
85	545184.68
86	545184.82
87	545184.96
88	545185.10
89	545185.24
90	545185.38
91	545185.52
92	545185.66
93	545185.80
94	545185.94
95	545186.08
96	545186.22
97	545186.36
98	545186.50
99	545186.64
100	545186.78

Legend:

- Proposed new kerbing (S&H LINC)
- Existing kerbing to be retained
- 200mm SMA
- Paving
- Full Depth Reconstruction - See Notes
- Proposed S&H and asphalt
- St&K
- Domestic Sewer Moundings Kerb
- FK Kerb
- Finished Pavement level to match top of existing Pavement level.
- Survey information not available proposed levels to be determined on site.

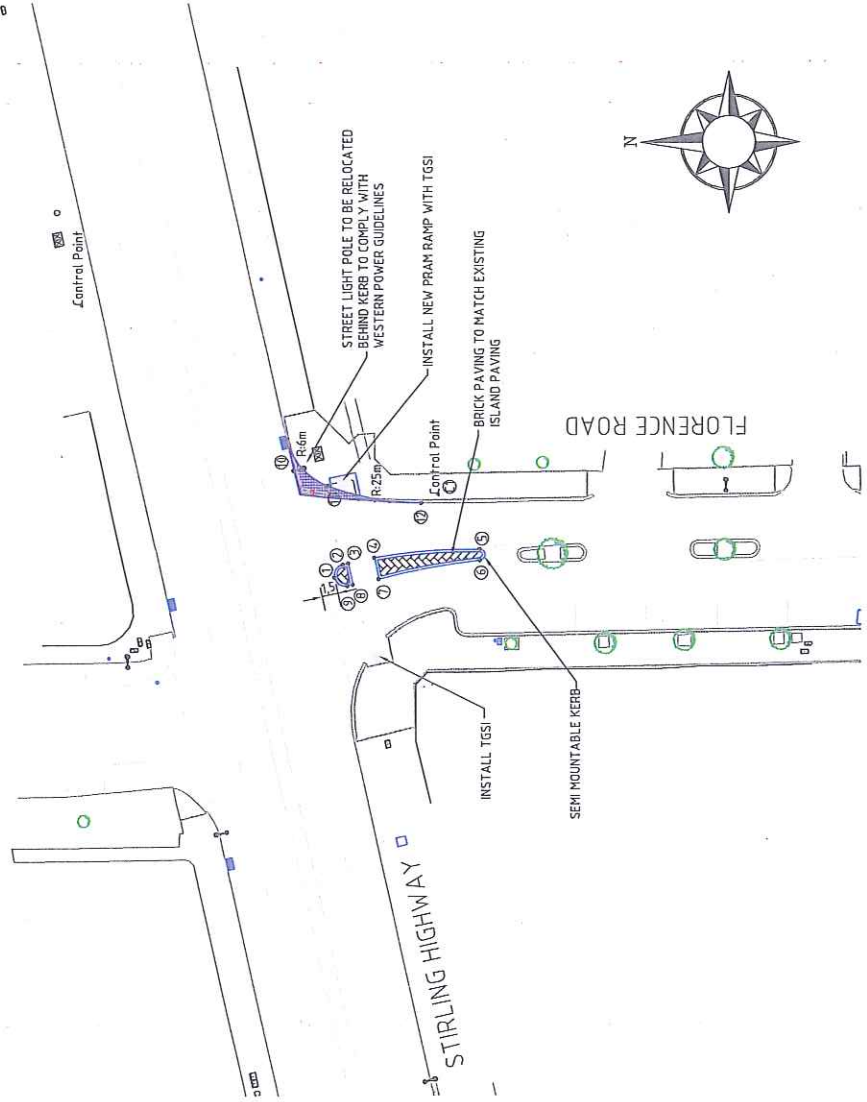
- Design Plan - Stirling Hwy / Florence Rd



RISED MEDIAN DETAIL

LEGEND

- Proposed new kerbing (S&H LINC)
- Existing kerbing to be retained
- 200mm SMA
- Paving
- Full Depth Reconstruction - See Notes
- Proposed S&H and asphalt
- St&K
- Domestic Sewer Moundings Kerb
- FK Kerb
- Finished Pavement level to match top of existing Pavement level.
- Survey information not available proposed levels to be determined on site.

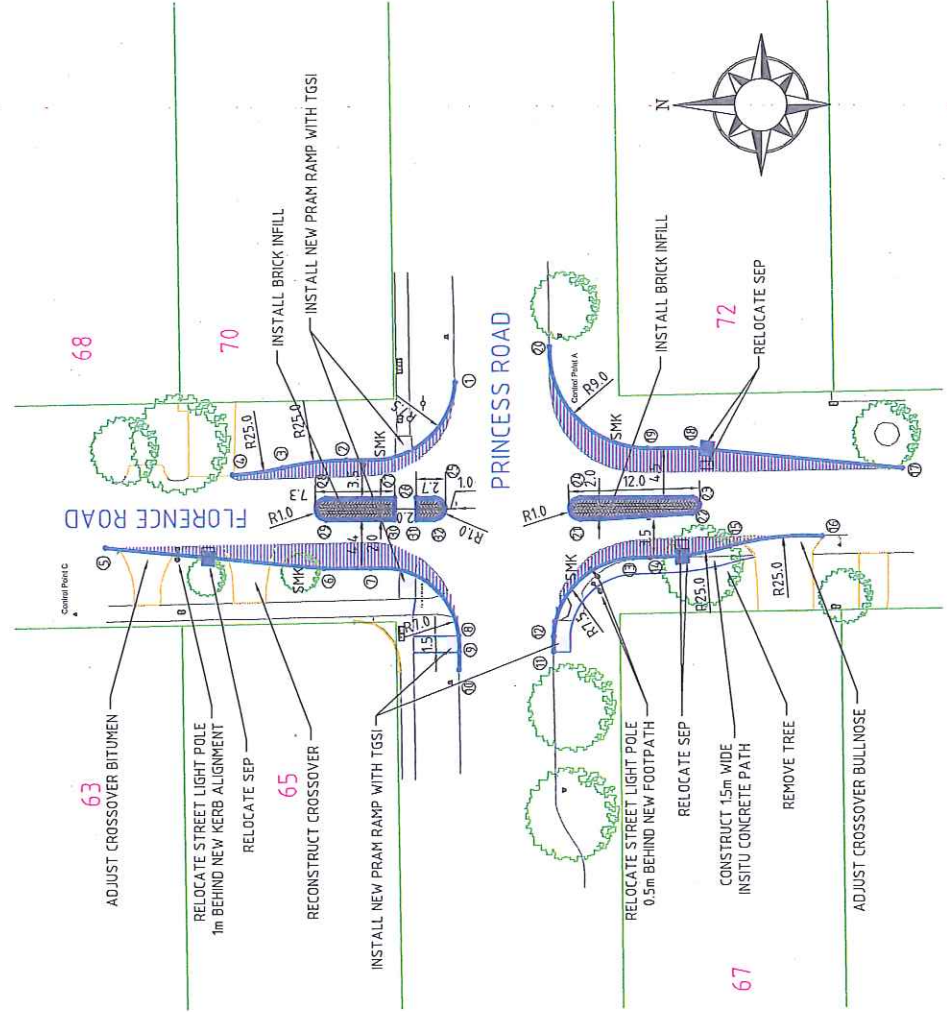


REV. No	DATE	DRAWN	CHECKED	DATE	SCALE	DESIGNED	ISSUED	REVISION	NOTES	
A					1:250	SHAWMAC	SHAWMAC			
							PROJECT DATE: R.G. 11/07/11			
							APPROVED DATE: Y.K. 11/07/11			
<p>City of Nedlands 71 STIRLING HIGHWAY PO BOX 9 NEDLANDS WA 6109 PH (08) 9272 3500 FX (08) 9273 8970 TTY (08) 9273 3846 Email: council@nedlands.wa.gov.au</p>										
							TITLE: STIRLING HWY / FLORENCE ROAD INTERSECTION NEDLANDS MEDIAN ISLAND CONCEPT DESIGN			
							DWG NO: STB-FL-1-2011-01-MGA94-A			

Notes:

1. Existing traffic Management markings, construction conforms to Worksafe Standards.
2. Signs are shown in their approximate location. Domestic services are not shown. All other signs are shown in their approximate location. Domestic services are not shown. All other signs are shown in their approximate location. Domestic services are not shown.
3. Ensure the Design Stage System is operational before start of work.
4. Existing signage shall not be relocated beyond the extent of work.
5. Existing kerbs shall be kept in situ with existing surface.
6. Existing kerbs shall be kept in situ with existing surface.
7. The kerb shall be kept in situ with existing surface.
8. Existing kerbs shall be kept in situ with existing surface.
9. Existing kerbs shall be kept in situ with existing surface.
10. Existing kerbs shall be kept in situ with existing surface.
11. Existing kerbs shall be kept in situ with existing surface.
12. Existing kerbs shall be kept in situ with existing surface.
13. Existing kerbs shall be kept in situ with existing surface.
14. Existing kerbs shall be kept in situ with existing surface.

LINE NUMBER	LINE POINT	LINE TYPE	LINE TYPE
1	145001.92	546064.13	145016
2	387004.91	645801.34	145
3	587004.73	645801.34	145
4	327003.62	546064.13	145
5	356095.93	645801.34	145
6	387004.91	645801.34	145
7	327003.62	546064.13	145
8	356095.93	645801.34	145
9	327003.62	546064.13	145
10	356095.93	645801.34	145
11	387004.91	645801.34	145
12	356095.93	645801.34	145
13	327003.62	546064.13	145
14	356095.93	645801.34	145
15	387004.91	645801.34	145
16	356095.93	645801.34	145
17	327003.62	546064.13	145
18	356095.93	645801.34	145
19	387004.91	645801.34	145
20	356095.93	645801.34	145
21	327003.62	546064.13	145
22	356095.93	645801.34	145
23	387004.91	645801.34	145
24	356095.93	645801.34	145
25	327003.62	546064.13	145
26	356095.93	645801.34	145
27	387004.91	645801.34	145
28	356095.93	645801.34	145
29	327003.62	546064.13	145
30	356095.93	645801.34	145
31	387004.91	645801.34	145
32	356095.93	645801.34	145



Design Plan – Princess Rd / Florence Rd

LEGEND

(Symbol)	PROPOSED NEW LIGHTING (SMT LINO)
(Symbol)	EXISTING LIGHTING TO BE REMOVED
(Symbol)	25mm S/M
(Symbol)	PROFILING
(Symbol)	FULL DEPTH RECONSTRUCTION - SEE NOTES
(Symbol)	PROPOSED SEPs AND C/SKEL'S
(Symbol)	SMK
(Symbol)	DIVIDOR SIGN (HORIZONTAL KERB)
(Symbol)	PK
(Symbol)	FINISH/POLYMER LEVEL TO MATCH LOG OF EXISTING PAVEMENT LEVEL.
(Symbol)	PA
(Symbol)	PA - SURVEY INFORMATION NOT AVAILABLE PROPOSED LEVELS TO DETERMINE ON SITE.

REV. NO.	ISSUE FOR APPROVAL & CONSTRUCTION	REVISION NOTES
A		

SCALE	1:250
DATE	
DRAWN	SHAWMAC
CHECKED	SHAWMAC
DATE	
DATE	11/07/11
APPROVED DATE	11/07/11
ISSUED DATE	11/07/11

City of Nedlands
 71 STIRLING HIGHWAY
 PO BOX 9 NEDLANDS WA 6109
 PH (08) 9272 3500 FX (08) 9273 3876 TTY (08) 9272 3566
 Email: council@nedlands.wa.gov.au

TITLE: PRINCESS ROAD/FLORENCE ROAD INTERSECTION NEDLANDS MEDIAN ISLAND DESIGN LAYOUT

PR3-FL1-2011-01-MCA94-A